UNITED NATIONS

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General Assembly

Distr.
LIMITED

A/C.6/46/L.10
12 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
SIXTH COMMITTEE
Agenda items 107 and 131

REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

Programme budget implications of draft resolution A/C.6/46/L.7

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

A. Requests contained in the draft resolution

1. Under the terms of operative paragraphs 2, 3 and 7 of draft resolution A/C.6/46/L.7, the General Assembly would:

(a) Request the Secretary-General to publish and disseminate widely the Handbook on the Peaceful Settlement of Disputes between States in all the official languages of the United Nations;

(b) Decide that the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization will hold its next session from 3 to 21 February 1992;

(c) Request the Special Committee to submit a report on its work to the General Assembly at its forty-seventh session.

B. Relationship of requests to the proposed programme of work

2. The proposed activities fall under programme 9 (International law), subprogramme 3 (Progressive development and codification of international law)

of the medium-term plan for the period 1992-1997. Provision has been made under the corresponding subprogramme of the proposed programme budget for 1992-1993 for substantive servicing of the Special Committee and publication of the Handbook on the Peaceful Settlements of Disputes. 2/

C. Activities by which the requests would be implemented

3. Should the General Assembly adopt the draft resolution, the Secretary-General would convene a three-week session of the Special Committee in New York from 3 to 21 February 1992. It is assumed that the Committee and its working group would require interpretation in the six official languages of the General Assembly and other meeting services for 30 meetings. In addition, the Committee would require four pre-session documents (30 pages), 15 in-session documents (60 pages) and its report (32 pages) to be translated and issued in the six languages of the Assembly.

4. Regarding operative paragraph 2 of the draft resolution, the Secretary-General would arrange for the publication of the text of the Handbook, as approved by the General Assembly, in the six official languages.

D. Modifications in the proposed programme of work

5. Section 9 of the proposed programme budget for 1992-1993 includes provision for the substantive servicing of the Special Committee and the publication of the Handbook. Consequently, no modification would be required in the proposed programme of work.

E. Additional requirements at full cost

6. The conference-servicing requirements for a three-week session of the Special Committee in New York are estimated on a full-cost basis at $298,000, as follows:

		$
I.	Pre-session documentation (30 pages, 4 documents: A,C,E,F,R,S)	35 600
II.	Meeting servicing (Interpretation: A,C,E,F,R,S)	150 500
III.	In-session documentation (60 pages, 15 documents: A,C,E,F,R,S)	76 500
IV.	Post-session documentation (32 pages, 1 document: A,C,E,F,R,S)	35 400
	Total	298 000

F. Potential for absorption

7. The above cost estimates are based on the theoretical assumption that no part of the conference-servicing requirements would be met from within the permanent conference-servicing capacity under section 32 of the proposed programme budget for the biennium 1992-1993 and that additional resources would be required for temporary assistance for meetings. The extent to which the Organization's permanent capacity needs to be supplemented by temporary assistance resources can be determined only in the light of the proposed calendar of conferences for 1992-1993. However, as indicated in paragraph 32.4 of the proposed programme budget, the level of resources for temporary assistance for meetings in 1992-1993 was estimated on the basis of previous experience to accommodate not only meetings which are programmed but also additional meetings. In other words, provision is made in the proposed programme budget not only for meetings known at the time of budget preparation but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences is consistent with the pattern of meetings in the past years.

G. Net resource requirements

8. Should the General Assembly adopt draft resolution A/C.6/46/L.7, no additional appropriation would be required under section 9 or 32 of the proposed programme budget for the biennium 1992-1993.

Notes

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 6 (A/45/6/Rev.1), vol. I.

2/ See Official Records of the General Assembly, Forty-sixth Session, Supplement No. 6 (A/46/6/Rev.1), vol. I, para. 9.53.

UNITED NATIONS

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General Assembly

Distr.
LIMITED

A/C.6/46/L.11
19 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
SIXTH COMMITTEE
Agenda item 129

REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW ON THE WORK OF ITS TWENTY-FOURTH SESSION

Argentina, Australia, Austria, Bahrain, Belarus, Brazil, Chile, Colombia, Czechoslovakia, Ecuador, Egypt, Finland, France, Greece, Italy, Morocco, Poland, Spain and Turkey: draft resolution

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The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade, as well as its resolutions 43/166 of 9 December 1988, 44/33 of 4 December 1989 and 45/42 of 28 November 1990,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Having considered the report of the United Nations Commission on International Trade Law on the work of its twenty-fourth session, 1/

1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 17 and corrigendum (A/46/17 and Corr.1).

Mindful of the valuable contribution to be rendered by the United Nations Commission on International Trade Law within the framework of the United Nations Decade of International Law, particularly as regards the dissemination of international trade law,

1. Takes note with appreciation of the report of the United Nations Commission on International Trade Law on the work of its twenty-fourth session;

2. Takes note of the successful conclusion of the United Nations Conference on the Liability of Operators of Transport Terminals in International Trade, held at Vienna from 2 to 19 April 1991, which has resulted in the adoption of the United Nations Convention on the Liability of Operators of Transport Terminals in International Trade; 2/

3. Reaffirms the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field in order to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification of international trade law and, in this connection, recommends that the Commission, through its secretariat, should continue to maintain close cooperation with the other international organs and organizations, including regional organizations, active in the field of international trade law;

4. Calls upon the Commission to continue to take account, as appropriate, of the relevant provisions of the resolutions concerning the new international economic order, as adopted by the General Assembly at its sixth 3/ and seventh 4/ special sessions;

5. Reaffirms also the importance, in particular for developing countries, of the work of the Commission concerned with training and assistance in the field of international trade law and the desirability for it to sponsor seminars and symposia to provide such training and assistance, and, in this connection:

(a) Expresses its appreciation to the Commission for organizing the symposium on international trade law, 5/ held in conjunction with the twenty-fourth session of the Commission, and the regional seminar on

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2/ A/CONF.152/13.

3/ Resolutions 3201 (S-VI) and 3202 (S-VI).

4/ Resolution 3362 (S-VII).

5/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 17 and corrigendum (A/46/17 and Corr.1), paras. 334-336.

international trade law, held in Douala, Cameroon, in January 1991, 6/ and to the Governments whose contributions enabled the symposium and the seminar to take place;

(b) Invites Governments, the relevant United Nations organs, organizations, institutions and individuals to make voluntary contributions to the Trust Fund for UNCITRAL Symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in financing and organizing seminars and symposia, in particular in developing countries, and in the award of fellowships to candidates from developing countries to enable them to participate in such seminars and symposia;

6. Commends the Commission on its decision to organize, as a first step in the preparation of its programme of activities for the United Nations Decade of International Law, a Congress on International Trade Law during the last week of the twenty-fifth session of the Commission, to be held in New York from 4 to 22 May 1992, and expresses the hope that all States and interested international organizations will take the opportunity to send appropriate delegates to the Congress to consider the accomplishments achieved in the progressive unification and harmonization of international trade law during the past twenty-five years and the practical needs that can be foreseen for the future;

7. Repeats its invitation to those States which have not yet done so to consider signing, ratifying or acceding to the conventions elaborated under the auspices of the Commission.

B

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its decision in resolution 2205 (XXI) that the representatives of members on the Commission should be appointed by Member States in so far as possible from among persons of eminence in the field of the law of international trade,

Recalling also its resolution 3108 (XXVIII) of 12 December 1973, by which it expanded the membership of the Commission to thirty-six States, namely nine African States, seven Asian States, five Eastern European States, six Latin American States and nine Western European and other States, so as to be representative of the various geographic regions and the principal legal and economic systems of the world,

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6/ Ibid., para. 332.

Concerned about the relatively low incidence of expert representation from developing countries at sessions of the Commission and particularly of its working groups during recent years, due in part to inadequate resources to finance the travel of such experts,

Convinced that the fulfilment of the mandate of the Commission, in particular the preparation of universally acceptable legal texts, requires the active participation of representatives from all regions and the various legal and economic systems in an equitable manner and that representatives need to have special expertise in the field of international trade law, in view of the complex and technical nature of the work of the Commission and its working groups,

Bearing in mind the arrangements on reimbursement of travel expenses that exist for certain United Nations bodies, pursuant to resolution 43/217, section IX, of 21 December 1988,

1. Takes note of the report of the Secretary-General on possible ways of assisting developing countries to attend meetings of the United Nations Commission on International Trade Law; 7/

2. Requests the Fifth Committee to consider, in order to ensure full participation by all Member States, granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, as well as, on an exceptional basis, to other developing countries members of the Commission at their request, in consultation with the Secretary-General, to participate in the sessions of the Commission and its working groups;

3. Recommends that the Commission rationalize the organization of its work and consider, in particular, the holding of consecutive meetings of its working group;

4. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its forty-seventh session.

7/ A/46/349.

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General Assembly

Distr.
LIMITED

A/C.6/46/L.12
21 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
SIXTH COMMITTEE
Agenda item 127

UNITED NATIONS DECADE OF INTERNATIONAL LAW

Argentina, Australia, Austria, Benin, Brazil, Bulgaria, Canada, China, Cyprus, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Hungary, India, Iran (Islamic Republic of), Italy, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Papua New Guinea, Peru, Poland, Romania, Singapore, Spain, Sudan, Sweden, Thailand, Trinidad and Tobago, Tunisia, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Viet Nam, Yemen, Yugoslavia and Zaire: draft resolution

United Nations Decade of International Law

The General Assembly,

Recalling its resolution 44/23 of 17 November 1989 by which it declared the period 1990-1999 the United Nations Decade of International Law,

Recalling also that the main purposes of the Decade, according to resolution 44/23, should be, inter alia:

(a) To promote acceptance of and respect for the principles of international law;

(b) To promote means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice;

(c) To encourage the progressive development of international law and its codification;

(d) To encourage the teaching, study, dissemination and wider appreciation of international law;

Recalling further its resolution 45/40 of 28 November 1990, to which was annexed the programme for the activities to be commenced during the first term (1990-1992) of the United Nations Decade of International Law,

Expressing its appreciation for the Secretary-General's report on the United Nations Decade of International Law, 1/ submitted pursuant to resolution 45/40;

Recalling that the Sixth Committee established at the forty-fifth session a working group with a view to preparing generally acceptable recommendations on the programme of activities for the Decade,

Noting that the Sixth Committee reconvened at the forty-sixth session the Working Group on the United Nations Decade of International Law to continue its work in accordance with resolution 45/40,

1. Expresses its appreciation to the Sixth Committee and its Working Group on the United Nations Decade of International Law for their work at the current session and requests the Working Group to continue to work at the forty-seventh session in accordance with its mandate and methods of work;

2. Further expresses its appreciation to States and international organizations and institutions which have undertaken activities in the implementation of the programme, including sponsoring conferences on various subjects of international law;

3. Invites all States, and international organizations and instituitons referred to in the programme, to provide, update or supplement information on the activities undertaken by them in the implementation of the programme, as appropriate, to the Secretary-General, as well as to submit their views on possible activities for the next term of the Decade;

4. Requests the Secretary-General to submit, on the basis of such information, a report to the General Assembly at its forty-seventh session on the implementation of the programme of activities for the first term (1990-1992) of the United Nations Decade of International Law, together with the views on possible activities for the next term of the Decade;

5. Further requests the Secretary-General to supplement his report, as appropriate, with new information on the activities of the United Nations relevant to the progressive development of international law and its codification and to submit it to the General Assembly on an annual basis;

6. Encourages States to disseminate, as appropriate, information contained in the report of the Secretary-General at the national level;

1/ A/46/372.

7. Appeals to States, international organizations and non-governmental organizations working in this field and to the private sector to make financial contributions or contributions in kind for the purpose of facilitating the implementation of the programme;

8. Requests the Secretary-General once again to bring to the attention of States and international organizations and institutions working in the field of international law the programme annexed to resolution 45/40;

9. Decides to include in the provisional agenda of its forty-seventh session the item entitled "United Nations Decade of International Law".

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General Assembly

Distr.
LIMITED

A/C.6/46/L.13
21 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
SIXTH COMMITTEE
Agenda item 140

EXPLOITATION OF THE ENVIRONMENT AS A WEAPON IN TIMES OF ARMED CONFLICT AND THE TAKING OF PRACTICAL MEASURES TO PREVENT SUCH EXPLOITATION

Draft decision proposed by the Chairman of the Sixth Committee

The General Assembly,

(a) Takes note that the protection of the environment in times of armed conflict is being addressed at the Twenty-Sixth International Conference of the Red Cross and Red Crescent, to be held from 29 November to 6 December 1991 at Budapest;

(b) Decides to request the Secretary-General to report on the results of the above-mentioned Conference to the General Assembly at its forty-seventh session;

(c) Decides to include in the provisional agenda of its forty-seventh session the item entitled "Protection of the environment in times of armed conflict".

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UNITED NATIONS

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General Assembly

Distr.
LIMITED

A/C.6/46/L.14
21 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
SIXTH COMMITTEE
Agenda item 130

CONSIDERATION OF THE DRAFT ARTICLES ON THE STATUS OF THE DIPLOMATIC COURIER AND THE DIPLOMATIC BAG NOT ACCOMPANIED BY DIPLOMATIC COURIER AND OF THE DRAFT OPTIONAL PROTOCOLS THERETO

Draft resolution proposed by the Chairman of the Sixth Committee

Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto

The General Assembly,

Recalling its resolution 44/36 of 4 December 1989, in which it noted that the International Law Commission, taking into account the written comments of Governments and views expressed in debates in the Assembly, had completed at its forty-first session the second reading of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and had also prepared a draft optional protocol on the status of the courier and the bag of special missions and a draft optional protocol on the status of the courier and the bag of international organizations of a universal character, 1/

Also recalling its resolution 45/43 of 28 November 1990, by which it decided that the informal consultations which were held at the forty-fifth session of the General Assembly would be resumed at the forty-sixth session of the General Assembly,

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1/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 10 (A/44/10), chap. II.

1. Expresses its satisfaction at the useful informal consultations that were accordingly held at its forty-sixth session to study the draft articles and the draft optional protocols thereto, as well as the question of how to deal further with those draft instruments with a view to facilitating the reaching of a generally acceptable decision in the latter respect, and takes note of the report of the Vice-Chairman of the Sixth Committee, who presided over those consultations; 2/

2. Decides that these informal consultations will be resumed at its forty-seventh session;

3. Also decides to include in the provisional agenda of its forty-seventh session the item entitled "Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto".

2/ Ibid., Forty-sixth Session, Sixth Committee, 40th meeting.

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General Assembly

Distr.
LIMITED

A/C.6/46/L.15
22 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
SIXTH COMMITTEE
Agenda item 128

REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FORTY-THIRD SESSION

Algeria, Argentina, Australia, Austria, Brazil, Chile, Czechoslovakia, India, Italy, Japan, Sierra Leone, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela: draft resolution

Consideration of the draft articles on jurisdictional immunities of States and their property

The General Assembly,

Noting that the International Law Commission, taking into account the written comments of Governments as well as views expressed in debates in the Assembly, completed at its forty-third session the second reading of the draft articles on jurisdictional immunities of States and their property, 1/

Noting also that, as reflected in paragraph 25 of the report of the International Law Commission on the work of its forty-third session, 2/ the Commission decided to recommend that the General Assembly should convene an international conference of plenipotentiaries to examine the draft articles on jurisdictional immunities of States and their property prepared by the Commission and to conclude a convention on the subject,

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1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 10 (A/46/10), chap. II.

2/ Ibid., Supplement No. 10 (A/46/10).

Mindful of Article 13, paragraph 1 a, of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

Believing that the successful codification and progressive development of the rules of international law governing jurisdictional immunities of States and their property would assist in promoting and implementing the purposes and principles set forth in Articles 1 and 2 of the Charter,

Recognizing the desirability of the conclusion of a convention on jurisdictional immunities of States and their property,

Recognizing also the importance, for the successful completion of such a convention, of the promotion of general agreement,

1. Expresses its appreciation to the International Law Commission for its valuable work on jurisdictional immunities of States and their property and to the Special Rapporteurs for their contribution to this work;

2. Invites States to submit, not later than 1 July 1992, their written comments and observations on the draft articles adopted by the International Law Commission;

3. Requests the Secretary-General to circulate such comments and observations so as to facilitate a discussion on the subject at the forty-seventh session of the General Assembly;

4. Decides to establish at its forty-seventh session an open-ended working group of the Sixth Committee to examine, in the light of the written comments of Governments, as well as views expressed in debates at the forty-sixth session of the Assembly;

(a) Issues of substance arising out of the draft articles, in order to facilitate a successful conclusion of a convention through the promotion of general agreement;

(b) The question of the convening of an international conference, to be held in 1994 or subsequently, to conclude a convention on jurisdictional immunities of States and their property;

5. Decides to include in the provisional agenda of its forty-seventh session an item entitled "Convention on jurisdictional immunities of States and their property".

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General Assembly

Distr.
LIMITED

A/C.6/46/L.16
22 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
SIXTH COMMITTEE
Agenda item 128

REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FORTY-THIRD SESSION

Algeria, Argentina, Australia, Austria, Brazil, Bulgaria, Canada, Chile, Cyprus, Czechoslovakia, Denmark, Egypt, Germany, Hungary, Iceland, India, Italy, Japan, Morocco, New Zealand, Norway, Romania, Sierra Leone, Sudan, Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland and Uruguay: draft resolution

Report of the International Law Commission on the work of its forty-third session

The General Assembly,

Having considered the report of the International Law Commission on the work of its forty-third session, 1/

Emphasizing the need for the progressive development of international law and its codification in order to make it a more effective means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations 2/ and to give increased importance to its role in relations among States,

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1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 10 (A/46/10).

2/ Resolution 2625 (XXV), annex.

Recognizing the importance of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission, and of enabling the Sixth Committee and the Commision further to enhance their contribution to the progressive development of international law and its codification,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Recognizing the role of the International Law Commission in the fulfilment of the objectives of the United Nations Decade of International Law,

Taking note with appreciation of the section of the report of the International Law Commission concerning the question of the possible establishment of an international criminal jurisdiction and noting also the debate in the Sixth Committee pertaining to this topic,

Considering that experience has demonstrated the usefulness of structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention on each of the main topics dealt with in the report, and that this process is facilitated when the Commission indicates specific issues on which expressions of views by Governments are of particular interest for the continuation of its work,

1. Takes note of the report of the International Law Commission on the work of its forty-third session; 1/

2. Expresses its appreciation to the International Law Commission for the work accomplished at that session, in particular for the completion of the final draft articles on jurisdictional immunities of States and their property and of the provisional draft articles on the law of the non-navigational uses of international watercourses and on the draft Code of Crimes against the Peace and Security of Mankind;

3. Invites the International Law Commission, within the framework of the draft Code of Crimes against the Peace and Security of Mankind, to consider further and analyse the issues raised in its 1990 report 3/ concerning the question of international criminal jurisdiction, including proposals for the establishment of an international criminal court or other international criminal trial mechanism in order to enable the General Assembly to provide guidance on the matter;

3/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 10 (A/45/10), chap. II, sect. C.

4. Recommends that, taking into account the comments of Governments, whether in writing or expressed orally in debates in the General Assembly, the International Law Commission should continue its work on the topics in its current programme;

5. Expresses its appreciation for the efforts of the International Law Commission to improve its procedures and methods of work;

6. Requests the International Law Commission:

(a) To consider thoroughly:

(i) The planning of its activities and programme for the term of office of its members, bearing in mind the desirability of achieving as much progress as possible in the preparation of draft articles on specific topics;

(ii) Its methods of work in all their aspects, including the possibility of dividing its annual session into two parts, bearing in mind that the staggering of the consideration of some topics might contribute, inter alia, to a more effective consideration of its report in the Sixth Committee;

(b) To continue to pay special attention to indicating in its annual report, for each topic, those specific issues on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest for the continuation of its work;

7. Takes note of the comments of the Commission on the question of the duration of its session, as presented in paragraph 338 of its report, 1/ and expresses the view that the requirements of the work for the progressive development of international law and its codification and the magnitude and complexity of the subjects on the agenda of the Commission make it desirable that the usual duration of its sessions be maintained;

8. Reaffirms its previous decisions concerning the role of the Codification Division of the Office of Legal Affairs of the Secretariat and those concerning the summary records and other documentation of the International Law Commission;

9. Draws the attention of Governments to the importance, for the International Law Commission, to have their views on the draft articles on the law of the non-navigational uses of international watercourses and on the draft Code of Crimes against the Peace and Security of Mankind, adopted on first reading by the Commission, and urges them to present in writing their comments and observations by 1 January 1993, as requested by the Commission;

10. Once again expresses the wish that seminars will continue to be held in conjunction with the sessions of the International Law Commission and that an increasing number of participants from developing countries will be given the opportunity to attend those seminars, appeals to States that can do so to

make the voluntary contributions that are urgently needed for the holding of the seminars, and expresses the hope that every effort will continue to be made by the Secretary-General, within existing resources, to provide the seminars with adequate services, including interpretation, as required;

11. Requests the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the forty-sixth session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate;

12. Recommends the continuation of efforts to improve the ways in which the report of the International Law Commission is considered in the Sixth Committee, with a view to providing effective guidance for the Commission in its work;

13. Also recommends that the debate on the report of the International Law Commission at the forty-seventh session of the General Assembly commence on 26 October 1992.

UNITED
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General Assembly

Distr.
LIMITED

A/C.6/46/L.17
22 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
SIXTH COMMITTEE
Agenda item 124

UNITED NATIONS PROGRAMME OF ASSISTANCE IN THE TEACHING, STUDY, DISSEMINATION AND WIDER APPRECIATION OF INTERNATIONAL LAW

Ghana: draft resolution

United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

The General Assembly,

Recalling paragraph 13 of its resolution 44/28 of 4 December 1989 and paragraph 1 of chapter IV of the annex to its resolution 45/40 of 28 November 1990,

Taking note with appreciation of the report of the Secretary-General on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law 1/ and the guidelines and recommendations on future implementation of the Programme within the framework of the United Nations Decade of International Law, which were adopted by the Advisory Committee and are contained in that report,

Bearing in mind that the encouragement of the teaching, study, dissemination and wider appreciation of international law is one of the main objectives of the United Nations Decade of International Law, as declared in

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1/ A/46/610 and Corr.1.

its resolution 44/23 of 17 November 1989 and further expanded in the annex to its resolution 45/40, chapter IV of the Programme of activities for the first term (1990-1992) of the Decade,

Considering that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

Noting with appreciation the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

Convinced, nevertheless, that States and international organizations and institutions should be encouraged to give further support to the Programme and increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

Reaffirming its resolutions 2464 (XXIII) of 20 December 1968, 2550 (XXIV) of 12 December 1969, 2838 (XXVI) of 18 December 1971, 3106 (XXVIII) of 12 December 1973, 3502 (XXX) of 15 December 1975, 32/146 of 16 December 1977, 36/108 of 10 December 1981, 38/129 of 19 December 1983, in which it stated or recalled that in the conduct of the Programme it was desirable to use as far as possible the resources and facilities made available by Member States, international organizations and others, as well as its resolutions 34/144 of 17 December 1979, 40/66 of 11 December 1985, 42/148 of 7 December 1987 and 44/28 of 4 December 1989 in which, in addition, it expressed or reaffirmed the hope that, in appointing lecturers for the seminars to be held within the framework of the Fellowship Programme in international law, sponsored jointly by the United Nations and the United Nations Institute for Training and Research, account would be taken of the need to secure representation of major legal systems and balance among various geographical regions,

1. Approves the guidelines and recommendations contained in section III of the report of the Secretary-General, and adopted by the Advisory Committee on the Programme, in particular those designed to achieve the best possible results in the administration of the Programme within a policy of maximum financial restraint;

2. Authorizes the Secretary-General to carry out in 1992 and 1993 the activities specified in his report, including the provision of:

(a) A minimum of fifteen fellowships each in 1992 and 1993, at the requests of Governments of developing countries;

(b) A minimum of one scholarship each in 1992 and 1993 under the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, subject to the availability of new voluntary contributions made specifically to the fellowship fund;

(c) Assistance in the form of a travel grant for one participant from each developing country, who will be invited to the regional courses to be organized in 1992 and 1993;

and to finance the above activities from provisions in the regular budget, when appropriate, as well as from voluntary financial contributions earmarked for each of the activities concerned, which would be received as a result of the requests set out in operative paragraphs 14, 15 and 16 below.

3. Expresses its appreciation to the Secretary-General for his constructive efforts to promote training and assistance in international law within the framework of the Programme in 1990 and 1991, in particular for the organization of the twenty-sixth 2/ and twenty-seventh 3/ sessions of the International Law Seminar, held at Geneva from 5 to 22 June 1990 and 3 to 21 June 1991, respectively, and for the participation of the Office of Legal Affairs of the Secretariat and its Codification Division in the conduct of the Fellowship Programme in international law sponsored jointly by the United Nations and the United Nations Institute for Training and Research, as well as for the activities related to the award of the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea;

4. Requests the Secretary-General to consider the relative advantages of using available resources and voluntary contributions on regional, subregional or national courses as against courses organized within the United Nations system;

5. Welcomes in particular the joint efforts described in the report of the Secretary-General, and undertaken by the Codification Division of the Office of Legal Affairs and its secretariat of the Programme of Assistance as well as by the International Court of Justice to publish in a single volume in all official languages of the Organization, and within the existing overall level of appropriations, the summaries of the Judgments and advisory opinions of the International Court of Justice (1949-1990) as provided by the Court's Registry, and to update this publication in subsequent years;

6. Invites interested States to consider the option of financing the translation and publication of the Judgments of the International Court of Justice;

7. Also welcomes the efforts undertaken by the Office of Legal Affairs of the Secretariat to bring up to date the Treaty Series and the United Nations Juridical Yearbook;

8. Expresses its appreciation to the United Nations Institute for Training and Research for its participation in the Programme, particularly for its efforts in the organization of regional courses and in the administration

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2/ See Official Records of the General Assembly, Forty-fifth Session, Supplement No. 10 (A/45/10), chap. VIII, sect. E.

3/ Ibid., Forty-sixth Session, Supplement No. 10 (A/46/10), chap. VIII, sect. F.

of the Fellowship Programme in international law jointly sponsored and conducted by the United Nations and the Institute;

9. Expresses its appreciation to the United Nations Educational, Scientific and Cultural Organization for its participation in the Programme, and in particular for the publication of the volume International Law: Achievements and Prospects, which constitutes an important effort to support the teaching, study, dissemination and wider appreciation of international law, and notes the possibility reflected in the Secretary-General's report that any request to translate and publish this work in Spanish or any other language would have greater chances of being favourably examined were it to be made on a regional basis;

10. Also expresses its appreciation to the Government of Namibia for its willingness to co-sponsor the regional training and refresher course of the United Nations Institute for Training and Research for southern African countries, held at Windhoek from 12 to 22 February 1991;

11. Further expresses its appreciation to the Hague Academy of International Law for the valuable contributions it has made to the Programme by enabling international law fellows under the sponsorship of the United Nations and the United Nations Institute for Training and Research to attend its annual international law courses and by providing facilities for seminars organized under the Fellowship Programme in international law in conjunction with the Academy courses;

12. Notes with appreciation the contributions made by the Hague Academy of International Law to the teaching, study, dissemination and wider appreciation of international law, and calls upon Member States and interested organizations to give favourable consideration to the appeal of the Academy for a continuation of, and, if possible an increase in their financial contributions in order to enable the Academy to carry on with the above-mentioned activities, in particular the summer courses, regional courses and programmes of the centre for studies and research in international law;

13. Urges all States, and relevant international organizations, whether regional or universal, to make all possible efforts to implement the goals and carry out the activities contemplated in chapter IV of the Programme for the first term (1990-1992) of the United Nations Decade of International Law, dealing with the encouragement of the teaching, study, dissemination and wider appreciation of international law and contained in the annex to its resolution 45/40 of 28 November 1990;

14. Requests the Secretary-General to continue to publicize the Programme and periodically to invite Member States, universities, philanthropic foundations and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme or otherwise to assist in its implementation and possible expansion;

15. Reiterates its request to Member States and to interested organizations and individuals to make voluntary contributions, inter alia, for the International Law Seminar, for the United Nations-United Nations Institute for Training and Research International Law Fellowship Programme and for the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, and expresses its appreciation to those Member States, institutions and individuals that have made voluntary contributions for this purpose;

16. Urges in particular all Governments to make voluntary contributions with a view to covering the amount needed for the financing of the daily subsistence allowance for up to twenty-five participants in each regional course organized by the United Nations Institute for Training and Research, thus alleviating the burden on prospective host countries and making it possible for the Institute to continue to organize the regional courses;

17. Requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the Programme during 1992 and 1993 and, following consultations with the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, to submit recommendations regarding the execution of the Programme in subsequent years;

18. Decides to appoint twenty-five Member States, according to the following distribution: six from Africa; five from Asia; three from Eastern Europe; five from Latin America and the Caribbean; and six from Western Europe and other States, as members of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, for a period of four years beginning on 1 January 1992;

19. Decides to include in the provisional agenda of its forty-eighth session the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

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General Assembly

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LIMITED

A/C.6/46/L.18
22 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
SIXTH COMMITTEE
Agenda item 133

ADDITIONAL PROTOCOL ON CONSULAR FUNCTIONS TO THE VIENNA CONVENTION ON CONSULAR RELATIONS

Austria, Colombia and Czechoslovakia:
draft resolution

Additional protocol on consular functions to the Vienna Convention on consular relations

The General Assembly,

Recalling its resolution 45/47 of 28 November 1990,

Taking note with appreciation of the report of the Secretary-General 1/ containing the replies received from Member States and other States parties to the Vienna Convention on Consular Relations concerning an additional protocol on consular functions to that Convention,

Having considered the item entitled "Additional protocol on consular functions to the Vienna Convention on Consular Relations",

1. Decides to hold informal consultations during its forty-seventh session to examine the proposal on an additional protocol on consular functions to the Vienna Convention on Consular Relations, particularly in the light of the views expressed by States contained in the report of the Secretary-General or expressed during the debate on this item in the Sixth Committee at the forty-sixth session of the General Assembly;

1/ A/46/348 and Add.1.

2. Invites Member States as well as other States parties to the said Convention to submit their views on this item to the Secretary-General in accordance with paragraph 3 of resolution 45/47;

3. Requests the Secretary-General to submit to the General Assembly at its forty-seventh session a further report containing the replies received under paragraph 2 above;

4. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Additional protocol on consular functions to the Vienna Convention on Consular Relations".

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General Assembly

Distr.
LIMITED

A/C.6/46/L.19
22 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
SIXTH COMMITTEE
Agenda item 132

REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

Cyprus: draft resolution

Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country, 1/

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations 2/ and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations 3/ and the responsibilities of the host country,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

Welcoming the increased interest shown by Member States in participating in the work of the Committee,

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1/ A/46/26 (to be issued).

2/ Resolution 22 A (I).

3/ See resolution 169 (II).

1. Endorses the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 75 of its report;

2. Considers that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interests of the United Nations and all Member States, and expresses the hope that the host country will continue to take all measures necessary to prevent any interference with the functioning of missions;

3. Expresses its appreciation for the efforts made by the host country and hopes that outstanding problems raised at the meetings of the Committee will be duly resolved in a spirit of cooperation and in accordance with international law;

4. Urges the host country, in the light of the consideration by the Committee of travel regulations issued by the host country, to continue to bear in mind its obligations to facilitate the functioning of the United Nations and the missions accredited to it;

5. Stresses the importance of a positive perception of the work of the United Nations, and urges that efforts be continued to build up public awareness by explaining, through all available means, the importance of the role played by the United Nations and the missions accredited to it in the strengthening of international peace and security;

6. Requests the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

7. Requests the Committee to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

8. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Report of the Committee on Relations with the Host Country".